

REMARKS/ARGUMENTS

In the Office Action, Applicants appreciate the Examiner's discussion in the "Response to Arguments" section regarding Applicants' arguments in the Amendment filed in the patent application on February 3, 2009, vis-à-vis the claimed subject matter.

In this Amendment, Applicants have amended independent claims 1, 16, and 21 to more-particularly claim Applicants' invention, and to be consistent with Applicants' distinguishing arguments in the prior Amendment. As such, Applicants now more-particularly claim that the actuator stop surface at the opposite end of the valve rod **cooperates** with an opposing stop surface. Further, Applicants more-particularly claim that the valve rod has a length greater by an excess length than **the distance between the passage opening sealing surface and the opposing stop surface of the control valve.** And, further yet, Applicants more-particularly claim that, during a closing movement of the valve actuator, the **excess length of the valve rod and the cooperation of the one end of the valve rod with the sealing surface and the opposite end of the valve rod with the stop surface** provides a sealing function at the sealing surface by the one end of the valve rod while the opposite end of the valve rod provides for stopping of the valve rod and an associated damping function when the excess length is taken up by an elastic deformation of the valve rod. Therefore, Applicants respectfully submit that with these claim amendments, Applicants' distinguishing arguments are consistent with the scope of the claims.

As such, Applicants respectfully submit that even if the Examiner's arguments regarding Baumgartner and Kilgore can be made, that the modified Baumgartner reference still does not disclose these more-particularly claimed features of Applicants' invention. In the Office Action, even if Baumgartner discloses an actuator stop surface (the bottom surface of element 139) that engages the stop (the upper surface of element 54) when the valve actuator is at the closing position, and a valve rod (127) disposed between the actuator sealing

surface and the actuator stop surface, and even if Baumgartner's valve rod 127 can be made elastically deformable and slightly longer than the required length based on Kilgore, as argued by the Examiner, that this modified Baumgartner reference still does not disclose Applicants' more-particularly claimed features as discussed above. The modified Baumgartner reference does not disclose Applicants' claimed features where the actuator stop surface at the opposite end of the valve rod cooperates with an opposing stop surface and the excess length of the valve rod and the cooperation of the one end of the valve rod with the sealing surface and the opposite end of the valve rod with the stop surface provides a sealing function at the sealing surface by the one end of the valve rod while the opposite end of the valve rod provides for stopping of the valve rod and an associated damping function when the excess length is taken up by an elastic deformation of the valve rod.

Again, the modified Baumgartner reference merely discloses that an actuator stop surface (the bottom surface of element 139) engages the stop (the upper surface of element 54) when the valve actuator is at the closing position and a valve rod 127 that would be deformable.

Therefore, for at least these reasons, Applicants respectfully submit that amended independent claims 1, 16, and 21 are allowable over the cited references.

Since the present Office Action is a "Final" Action, Applicants are filing a Request for Continued Examination concurrently with the filing of this Amendment.

Applicants respectfully submit that the application is now in condition for allowance. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.


As provided for above, this paper includes a Petition for an Extension of Time sufficient to effect a timely response. Please charge any deficiency in fees,

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or credit any overpayments, to Deposit Account No. 05-1323 (Docket No.
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Respectfully submitted,

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